CASE SUMMARY

Complaint against Hong Kong Examinations and Assessment Authority

The Complaint

In April/May 2008, this Office received nearly 100 complaints about the 2008 Hong Kong Advanced Level Examination (“HKALE”). The complainants criticised the Hong Kong Examinations and Assessment Authority (“HKEAA”) for unreasonably changing the marking schemes for Sections A and E of the subject Use of English (respectively “UEA Paper” and “UEE Paper”). Their complaint points are summarised as follows:

(1) Task 6 of UEA Paper (Listening Test) asked candidates to use “✓” or “✘” to indicate a “yes” or “no” answer. Some candidates did not follow instructions and left some boxes blank. HKEAA changed the marking scheme by treating the blank boxes as “no” answers and awarded marks on this basis.

(2) Task 1 of UEE Paper (Practical Skills for Work and Study) asked candidates to write a letter of “about 500 words”. However, some candidates had written more than 500 words. HKEAA again changed the marking scheme to disregard the word limit and awarded marks to writing above the 500 word limit.

Investigation Process

2. On 5 May, with consent from the complainants, we started our inquiry with HKEAA. In view of the large number of candidates likely to be affected and its possible impact on the public examination system in Hong Kong, The Ombudsman decided on 16 May, on grounds of public interest, to conduct a full investigation under The Ombudsman Ordinance.

3. As the HKALE results will be released on 30 June, The Ombudsman decided to expedite investigation so that our findings could be announced early to alleviate candidates' concern. On 31 May, HKEAA provided this Office with relevant information. During the investigation process, HKEAA staff met and discussed this case with our investigators a few times.

4. On 6 June, we sent our draft investigation report to HKEAA. They commented on 12 June. In the light of their views, we made some amendments to the report and concluded the case.

Setting of Examination Questions and Marking Schemes

5. HKALE questions are set by the HKEAA Moderation Committee, which comprises a chief examiner, question setters, moderators and a Manager (Assessment Development). The Manager (Assessment Development) is a full-time staff and the others work part-time for the HKEAA.

6. Marking Schemes are guidelines for markers devised by the Moderation Committee.

7. For each subject, HKEAA has a panel of markers, comprising a chief examiner, an assistant examiner and a Manager (Assessment Development). After each examination, the panel will scrutinise a number of examination scripts (about 1%) to analyse candidates' performance with a view to establishing a unified marking standard for the subject. The panel will, where necessary, revise the marking scheme.

8. The chief examiner will then convene a markers' meeting of all markers to explain the marking criteria. To better understand the marking scheme, markers mark sample scripts and convey their views to markers' meeting. In response to these views, the meeting may further revise the marking scheme and decide on the circumstances under which markers may exercise discretion in giving marks to the candidates.

9. All markers must follow the criteria of the marking scheme to ensure consistency.

Task 6 of UEA Paper (Complaint point (1))

Task Instructions

10. The UEA Paper was a listening test. Candidates were asked to listen to a recorded conversation in which the host explained the rules of a game called "Survival Hong Kong". He talked about items which players were allowed to bring to a deserted island and those items they were not allowed to have. After listening, candidates were required to complete Task 6. The instructions for Task 6 were:

> "What the players are allowed to have: Put ticks or crosses.
> One has been done as an example."

11. The full version of the task instructions has been reproduced at the **Annex 2**.

Original Marking Scheme

12. According to HKEAA's intention and the original marking scheme, candidates were expected to put in the boxes provided a "✓" for items that were "allowed to have" and a "✘" for those "not allowed to have". Marks would be given for correct answers, whilst wrong answers would neither score nor lose marks.

Revised Marking Scheme

13. After the examination, the panel of markers marked about 600 examination scripts in accordance with the established procedures mentioned in paragraph 7 above. Most candidates had marked all the boxes with "✓" or "✘" (Category One candidates), a small number of candidates had put "✓" or "✘" in some boxes and left the rest blank (Category Two candidates), yet others had put "✓" in some boxes and left the rest blank (Category Three candidates). The panel inferred the following "intended answers" from these three categories of candidates:

<u>Category One candidates</u>

"✓" indicated items that were "allowed to have",
and "✘" indicated those "not allowed to have";

Category Two candidates
"✓" indicated items that were "allowed to have",
"✘" indicated those "not allowed to have",
and boxes left blank meant unattempted question;

Category Three candidates
"✓" indicated items that were "allowed to have",
while the blank boxes indicated those "not allowed to have".

14. After discussion, the markers' meeting decided to revise the marking scheme such that the scripts would be marked on the basis of the "intended answers" of each category of candidates.

15. According to HKEAA, the panel found that most candidates, as a matter of habit, used "✓" to indicate "yes" (items allowed to have) and "✘" to indicate "no" (items not allowed to have). This showed that these candidates knew which items were allowed and which were not.

16. HKEAA pointed out that the marking scheme should be based on the assessment objectives and revised according to the "intended answers" of candidates. The Authority considers it a major "professional principle" to mark scripts in the light of candidates' "intended answers", if the "intended answers" are clear.

17. HKEAA believed that the scripts should be marked with candidates' best interest in mind. It is, therefore, normal for the Authority to use discretion in awarding marks in special cases, and that this should not be considered unfair. In the present case, its revised marking scheme had catered for all the different approaches adopted by candidates. HKEAA, therefore, considered that it had fairly treated each script based on the original assessment objectives.

18. In response to our investigation, HKEAA randomly selected 1,000 scripts for analysis. This showed that Category One accounted for about 86% and Categories Two and Three each accounted for about 7% of the candidates

who took the UEA Paper .

Flaws in Task Instructions

19. As stated in paragraph 12 above, HKEAA **originally intended that** candidates should complete Task 6 by using "✓" to indicate items that were allowed to have and "✘" to indicate those that were not allowed.

20. However, the **literal meaning** of the instructions of Task 6 (see **para. 10** above) conveyed a completely different message. The instructions specifically asked candidates to use either "✓" **or** "✘" to indicate "allowed to have". The example given also used a "✓" to indicate a sea shell as an item "allowed to have" (see **Annex 2**). No example was given on what a "✘" would indicate. Hence, on this basis, candidates who had used either "✓" or "✘" to indicate items that were "allowed to have" would have provided the correct answers, in full compliance with the instructions of the Task. Likewise, it would also have been correct if a candidate were to use both "✓" and "✘" to indicate items that were "allowed to have", although using both "✓" and "✘" to indicate affirmative answers goes against the habitual usage of those signs.

21. Moreover, the instructions provided no guidance on how to indicate items that were "not allowed to have". Thus, a blank box could be taken to mean either an item "not allowed to have" or an unanswered question.

22. In short, the instructions of Task 6 had not only failed to reflect HKEAA's original intention, but also to provide clear guidelines for candidates. Consequently, with candidates using different approaches to complete the Task, HKEAA could only resort to using discretion based on a general understanding and customary usage of the signs "✓" and "✘" to infer candidates' "intended answers" and mark their scripts accordingly.

23. We must point out that of the three categories of candidates (see **para. 13** above), Category Three candidates (i.e. candidates using "✓" to indicate items "allowed to have" and leaving boxes blank to indicate those "not allowed to have") were the only one who had answered the question correctly, in compliance with the instructions. Conversely, while Categories One and Two candidates (i.e. using "✓" to indicate items "allowed to have" and "✘" to indicate those "not allowed to have") understood the contents of

the recording and conformed with HKEAA's original intention, they had failed to answer the question on the basis of the instructions given.

24. We understand that in marking scripts according to the "intended answers" instead of adhering to the instructions given, HKEAA was not to make candidates lose marks for the task. Regrettably, this would have the undesirable outcome of the Authority encouraging candidates to disregard the specific instructions in examination questions.

25. If this were an IQ test, there could perhaps have been room for some flexible interpretation of the meaning of the instructions. However, the subject in question is Use of English, and the instructions given were concise and specific, leaving no room for any other way of interpretation and it was odd that HKEAA should have to guess the candidates' "intended answers". We, therefore, can find no basis for HKEAA to adopt a different, discretionary approach in using candidates' "intended answers" as the basis for marking this Task. However, we have to accept that the methodology of marking examination scripts pertains to HKEAA's professional judgment.

Conclusion

26. In this case, the complainants accused Category 3 candidates for not following the instructions and said that they should not be awarded marks, when in fact it was the complainants themselves who had adhered to the convention mentioned in paragraph 15 above and disregarded the specific requirement of the instructions. They were wrong. The Ombudsman, therefore, considers Complaint Point (1) **unsubstantiated**.

27. It is clear that HKEAA had failed to provide candidates with appropriate and accurate task instructions. As a result, candidates used different approaches in completing the task. This situation was particularly lamentable when HKEAA itself had repeatedly stressed that candidates should follow instructions in answering questions and that those who failed to do so would suffer the consequences. The Authority should be held responsible for allowing such a mistake to slip through its various checking mechanism. The Ombudsman, therefore, considers that despite Complaint Point (1) not being substantiated, there had been **maladministration on the part of HKEAA other than alleged**.

Task 1 in UEE Paper (Complaint Point (2))

Task Instructions

28. Section E was an examination on “Practical Skills for Work and Study”. Using information provided, candidates were asked to write a letter of **about 500 words** to a newspaper editor, with the following instructions:

> “Using information from pages 2 to 10 of the Data File, write a letter of **about 500 words** to the editor of the *Hong Kong Post* in response to the letter from Simon Pang. You should follow the instructions in Margaret Tang’s first email on page 2 of the Data File.”

Marking Scheme

29. HKEAA indicated that the task required candidates to write a letter that was brief, concise and to the point. Its length and the number of words used was not crucial. Therefore, the marking scheme emphasised the content of the letter and candidates’ writing skills. The assessment criteria were clearly set out in the answer book for candidates’ reference.

30. Markers would read each script in its entirety. If the letter was too long, the candidate would lose marks on “Balance” and “Conciseness”; he might also score lower on “Relevance”, “Paraphrasing” and “Readability and Organisation”. Candidates should not just copy information from the Data File, but had to select relevant information. Candidates would not score high marks if they copy indiscriminately from the Data File, regardless of the number of words used.

31. HKEAA had not revised the marking scheme for this task, as alleged by the complainants.

Conclusion

32. We accept HKEAA’s view that this question only required candidates to write a letter of “about 500 words”, without specifying an upper or lower

word limit. The Authority had repeatedly highlighted to the public that different marking schemes are devised to meet the requirements of different examination questions. Consequently, examination criteria might vary from year to year. Candidates must therefore read the instructions carefully, to ensure a proper understanding of the requirements of each question.

33. Complaint Point (2) was, therefore, **unsubstantiated**.

Final Remarks

34. Overall, this complaint was **unsubstantiated**. However, in view of the flaws in the task instructions as revealed by Complaint Point (1), The Ombudsman considers the complaint **substantiated other than alleged** and offers the following views.

35. Education aims to develop students' intellectual and personal potential in a holistic manner. Examination is a means of testing and not the ultimate goal of education. However, in reality, students' results in public examinations have a far-reaching impact on their future, whether they pursue further studies or seek employment. Examination results are often regarded as indicators of a person's knowledge and capability. Hence, society has legitimate expectation that its public examination system can appropriately and fairly assess its students, so that their results adequately reflect their standards.

36. The setting of examination papers and formulation of marking schemes require meticulous planning and execution, and they impact directly on the credibility of the examination system. All involved in the administration of public examinations must be vigilant lest mistakes in their planning and execution, even minor mistakes, if occurring frequently, would undermine confidence in Hong Kong's examination system by the community, overseas academic institutions and examination authorities, and may ultimately damage the reputation of our education system.

37. This case has revealed that despite HKEAA's fairly elaborate checks and monitoring mechanism for drafting, vetting, assessing and finalising of examination questions, the system had failed to identify a simple mistake. We see this as a serious weakness in HKEAA's checking system and would urge

the Authority to review.

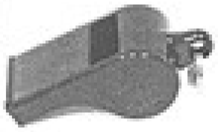
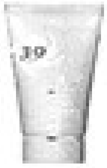
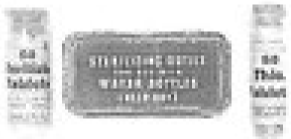
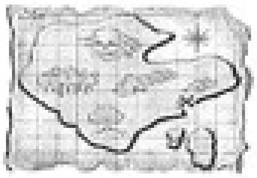
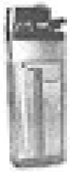
38. In 2002, this Office conducted a direct investigation into HKEAA’s arrangements for the HKALE and the Hong Kong Certificate of Education Examination and made ten recommendations for improvement. Despite full implementation of the recommendations by HKEAA, we find it quite unacceptable that the system still allowed such a mistake as had been revealed in the investigation of this case.

39. In this light, The Ombudsman has decided to initiate follow-up direct investigation to examine deeper into HKEAA’s mechanism of setting examination questions, with a view to identifying further room for improvement.

Office of The Ombudsman
June 2008

Annex 2

6. What the players are allowed to have: *Put ticks or crosses. One has been done as an example.*

A ☐	B ☐
C ☐ 	D ☐ 
E ☐	F ✓
G ☐ 	H ☐
I ☐ 	J ☐ 
K ☐	L ☐